

Message Text

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ORIGIN L-02

INFO OCT-01 EUR-12 ISO-00 CIAE-00 INR-07 NSAE-00 MC-02

DODE-00 EB-07 TRSE-00 ERDA-05 COME-00 /036 R

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INR - MR. FITZGERALD

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R 181653Z JUN 75

FM SECSTATE WASHDC

TO AMEMBASSY PARIS

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E.O. 11652: N/A

TAGS: TECH, FR

SUBJECT: GOF REQUEST FOR SECURITY PROTOCOL WITH RESPECT
TO SALE OF ELECTRONIC EQUIPMENT

1. IN CONNECTION WITH PROPOSED USG PURCHASE OF CERTAIN
ELECTRONIC COMMUNICATIONS SECURITY EQUIPMENT OF FRENCH
MANUFACTURE FROM US COMPANY, THOMSON-CSF, INC., WE HAVE
BEEN INFORMED BY COMPANY THAT BEFORE PURCHASE ORDER IS
FINALIZED SO-CALLED QUOTE SECURITY PROTOCOL UNQUOTE MUST
BE SIGNED ON BEHALF USG. THOMSON-CSF SAYS THIS IS
REQUIRED BY GOF AS PRECONDITION TO EXPORT OF EQUIPMENT TO
US, APPARENTLY BECAUSE TECHNICAL INSTRUCTIONS RELATIVE TO
EQUIPMENT IN QUESTION ENTAIL MATERIAL CLASSIFIED BY GOF.

2. COPY OF QUOTE PROTOCOL UNQUOTE FURNISHED BY THOMSON-
CSF BEARS TITLE (INFORMAL TRANSLATION) QUOTE SECURITY
PROTOCOL BETWEEN (BLANK) AND FRANCE UNQUOTE. PREAMBULAR
PARAGRAPH STATES QUOTE THIS PROTOCOL CONSISTS OF THE JOINT
SECURITY REGULATIONS CONCLUDED ON (DATE) BETWEEN THE
GOVERNMENT OF THE UNITED STATES OF AMERICA AND FRANCE
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.... THE GOVERNMENTAL AUTHORITY RESPONSIBLE FOR SECURITY

WITHIN THE FRAMEWORK OF THIS COLLABORATION IS: FOR THE
USA (BLANK); FOR FRANCE: PRIME MINISTER, SECRETARIAT
GENERAL OF THE GOVERNMENT UNQUOTE. SUBSTANTIVE PROVISIONS
PROVIDE FOR RECOGNITION OF USG TITLE TO EQUIPMENT AND THAT

QUOTE AMERICAN AUTHORITIES UNQUOTE MAY NOT TRANSFER TITLE
OR POSSESSION TO ANYONE QUOTE NOT ANSWERABLE TO THE
AMERICAN GOVERNMENT, AND MAY NOT REVEAL TO OR PERMIT USE
BY, THIRD PARTIES OF TECHNICAL INFORMATION COVERED BY
PROTOCOL WITHOUT WRITTEN AUTHORIZATION FROM FRENCH
AUTHORITIES. ORIGINAL FRENCH TEXT TYPED ON PAPER
BEARING QUOTE REPUBLIQUE FRANCAISE/SECRETARIAT GENERAL
DU GOUVERNEMENT UNQUOTE LETTERHEAD. IT IS LABELED QUOTE
PROJET UNQUOTE (DRAFT).

3. THIS PROPOSED QUOTE SECURITY PROTOCOL UNQUOTE AND
REQUIREMENT THEREFOR IS COMPLETELY UNFAMILIAR TO US.
MOREOVER, PROCEDURE WHEREBY TEXT OF AGREEMENT TO BE
SIGNED BY U.S. QUOTE GOVERNMENTAL AUTHORITY UNQUOTE IS
PROVIDED TO US THROUGH PRIVATE FIRM IS CURIOUS. WHILE
WE HAVE NO PROBLEM WITH SUBSTANCE OF PROTOCOL, WE ARE NOT
PREPARED TO CONCUR IN ITS SIGNATURE IN ABSENCE FURTHER
INFORMATION CONCERNING IT. USG DESIRES TO ACQUIRE EQUIP-
MENT IN QUESTION SOONEST BUT UNABLE TO DO SO BEFORE THIS
QUESTION IS RESOLVED.

4. ACCORDINGLY, REQUEST EMBASSY OBTAIN CLARIFICATION
FROM GOF REGARDING ITS SECURITY REQUIREMENTS IN CASES
OF COMMERCIAL SALE TO ANOTHER FRIENDLY GOVERNMENT OF
MATERIAL OR DATA INVOLVING INFORMATION CLASSIFIED BY
GOF. EMBASSY SHOULD STRESS THAT WHILE WE HAVE NO
PROBLEM WITH SUBSTANCE OF REQUIREMENTS SET FORTH IN
ABOVE-DESCRIBED DRAFT QUOTE SECURITY PROTOCOL UNQUOTE,
WE WOULD PREFER (AND FROM STANDPOINT OF USG INTERNAL
REQUIREMENTS IT WOULD BE MUCH SIMPLER) IF SOME FORMAT
OTHER THAN THAT WHICH ON ITS FACE APPEARS TO BE
INTERNATIONAL AGREEMENT WOULD SUFFICE. TO THIS END WE
WOULD BE PREPARED TO PROVIDE WRITTEN ASSURANCES FROM
APPROPRIATE AUTHORITY IN PURCHASING AGENCY TO EFFECT
THAT ANY GOF CLASSIFIED INFORMATION PROVIDED IN
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CONNECTION WITH THIS EQUIPMENT WOULD NOT BE RELEASED
OUTSIDE USG WITHOUT GOF PERMISSION AND WOULD RECEIVE
LEVEL OF PROTECTION EQUIVALENT TO THAT ACCORDED USG
CLASSIFIED MATERIAL OF COMPARABLE SENSITIVITY.
APPRECIATE EMBASSY RESPONSE SOONEST. KISSINGER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: GOVERNMENT PROCUREMENT, TELECOMMUNICATION, COMMUNICATIONS SECURITY, EXPORTS, AGREEMENTS
Control Number: n/a
Copy: SINGLE
Draft Date: 18 JUN 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: greeneet
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975STATE142737
Document Source: CORE
Document Unique ID: 00
Drafter: TABOREK:EDK
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D750213-0058
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750638/aaaabibc.tel
Line Count: 112
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN L
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: greeneet
Review Comment: n/a
Review Content Flags:
Review Date: 21 MAY 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <21 MAY 2003 by MartinML>; APPROVED <01 OCT 2003 by greeneet>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
06 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: GOF REQUEST FOR SECURITY PROTOCOL WITH RESPECT TO SALE OF ELECTRONIC EQUIPMENT
TAGS: TECH, FR, US, THOMAS-CSF INC
To: PARIS
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006